

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:)	Chapter 11
)	
CELSIUS NETWORK LLC, <i>et al.</i> , ¹)	Case No. 22-10964 (MG)
)	
Debtors.)	(Jointly Administered)
<hr/>)	
FRED M. SHANKS,)	
)	
	Plaintiff,)	Adversary Proceeding No. 22-01190 (MG)
v.)	
)	
CELSIUS NETWORK LLC, <i>et al.</i> ;)	
)	
Defendants.)	
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**JOINT STIPULATION AND AGREED ORDER BY AND AMONG THE
DEBTORS AND FRED M. SHANKS SETTING BRIEFING SCHEDULE**

This Joint Stipulation and Agreed Order (this “Stipulation”) is made and entered into by and among: (a) Celsius Network LLC, and certain of its subsidiaries and affiliates, as debtors in possession in the above-captioned chapter 11 cases (the “Debtors”); and (b) Fred M. Shanks (“Plaintiff,” and together with the Debtors, the “Parties”). The Parties hereby stipulate and agree as follows:

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

RECITALS

WHEREAS, on December 20, 2022, Plaintiff filed his *Complaint against Celsius Network LLC, ET AL, Celsius Network LLC, Celsius Keyfi LLC, Celsius Lending LLC, Celsius Mining LLC, Celsius Network Inc., Celsius Network Limited, Celsius Networks Lending LLC, Celsius US Holding LLC* [Case No. 22-10964, Docket No. 1765] (the “Adversary Complaint”);

WHEREAS, on January 7, 2023, Mr. Shanks filed his *Amended Complaint Against All Defendants* [Adv. Pro. No. 22-01190, Docket No. 8] (the “Amended Adversary Complaint”);

WHEREAS, on February 22, 2023, the Debtors filed their *Motion to Dismiss the Amended Complaint* [Adv. Pro. No. 22-01190, Docket No. 17] (the “Motion to Dismiss”);

WHEREAS, on April 18, 2023, the Parties adjourned the hearing on the Motion to Dismiss set for that day to June 28, 2023;

WHEREAS, on May 16, 2023, Plaintiff filed an *Amended Complaint Against All Defendants* [Adv. Pro. No. 22-01190, Docket No. 21] (the “Second Amended Adversary Complaint”);

WHEREAS, the Debtors intend to file a renewed motion to dismiss the Second Amended Adversary Complaint (the “Motion”);

WHEREAS, on May 26, 2023, the Parties agreed to adjourn the hearing on the Motion to Dismiss set for June 28, 2023 to July 18, 2023;

WHEREAS, the Parties have met and conferred regarding a briefing schedule for the Motion and have agreed to the following schedule.

NOW, THEREFORE, IT IS STIPULATED AND AGREED AND, UPON APPROVAL BY THE BANKRUPTCY COURT OF THIS STIPULATION, IT IS SO ORDERED AS FOLLOWS:

1. The foregoing recitals are incorporated herein by reference.
2. The Parties agree to the following briefing schedule with respect to the Motion:

Event	Date
Deadline for Debtors to file the Motion	June 23, 2023, by 4:00 p.m. prevailing Eastern Time
Deadline for Plaintiff to file a Response	July 7, 2023, by 4:00 p.m. prevailing Eastern Time
Deadline for Debtors to file a Reply	July 14, 2023, by 4:00 p.m. prevailing Eastern Time
Hearing on Debtors' Motion	July 18, 2023, at 10:00am prevailing Eastern Time ²

IT IS SO ORDERED.

New York, New York

Dated: _____, 2023

MARTIN GLENN
CHIEF UNITED STATES BANKRUPTCY JUDGE

² Any party appearing at, listening to, or observing the Hearing, must make an electronic appearance, an eCourtAppearance, by using the eCourtAppearance portal located on the Court's website, <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>, or by clicking the "eCourtAppearances" tab on Judge Glenn's page of the Court's website at, <https://www.nysb.uscourts.gov/content/chief-judge-martin-glenn>. After the deadline to make appearances passes, the Court will send Outlook invitations to those persons who made eCourtAppearances, using the email addresses submitted with those appearances.

STIPULATED AND AGREED TO THIS 30th DAY OF MAY, 2023:

Washington, D.C.
Dated: May 30, 2023

/s/ Joshua A. Sussberg

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Judson Brown, P.C. (admitted *pro hac vice*)

T.J. McCarrick (admitted *pro hac vice*)

Leah Hamlin (admitted *pro hac vice*)

1301 Pennsylvania Avenue NW

Washington, D.C. 20004

Telephone: (202) 389-5000

Facsimile: (202) 389-5200

Email: judson.brown@kirkland.com

tj.mccarrick@kirkland.com

leah.hamlin@kirkland.com

- and -

Joshua A. Sussberg, P.C.

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

Email: joshua.sussberg@kirkland.com

- and -

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*)

Ross M. Kwasteniet, P.C. (admitted *pro hac vice*)

Christopher S. Koenig

Dan Latona (admitted *pro hac vice*)

300 North LaSalle Street

Chicago, Illinois 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

Email: patrick.nash@kirkland.com

ross.kwasteniet@kirkland.com

chris.koenig@kirkland.com

dan.latona@kirkland.com

Counsel to the Debtors and Debtors in Possession

/s/ Fred M. Shanks

Fred M. Shanks

Pro Se Creditor